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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/585,358	06/02/2000	Atsushi Maeda	500.38618X00	6526

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EXAMINER

ZAND, KAMBIZ

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 12/04/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/585,358

Applicant(s)

MAEDA ET AL.

Examiner

Kambiz Zand

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. **Claims 1-4** have been examined.

Information Disclosure Statement PTO-1449

2. The pages of the all references submitted by applicant have been considered.

Drawings

3. New corrected drawings are required in this application because the original informal drawings submitted by Applicant is not in English language. Accordingly, new drawings are required in reply to this Office action.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference sign(s) mentioned in the description (see disclosure): Correction is required.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include reference sign(s) not mentioned in the description (see figures 1-9's reference signs not mentioned in the description): Correction is required.

Claim Rejections - 35 USC § 112

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6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

7. **Claim 3** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. **Claim 3** recites the limitation " the target host" and "the security communication" in the claim. There is insufficient antecedent basis for these limitations in the claim.

Double Patenting

9. **Claim 4** is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. **Claims 1-4** are rejected under 35 U.S.C. 102(b) as being anticipated by Perlman (5,455,865 A).

As per claims 1 and 4 Perlman (5,455,865 A) teach an storage medium and a method having a hierarchical network (see fig.1, 7a-b; col.2, lines 33-36 where a hierarchical network is disclosed) with a domain name and address at each hierarchy (see fig.3a,4a,6a-b and 8a where each source or node of hierarchical network ahs a domain name and unique address represented by source id's; col.5, lines 31-40), a DNS server provided at each hierarchy where the DNS server distribute a public key of a host to the host belongs to the network (see col.5, lines 38-40 and 50-55; col.3, lines 62-67; col.4, lines 1-5 where the DNS server which is represented by the node and it's storage where the public keys are stored distribute a public key to other nodes or server by replacing the source address field; col.3, lines 20-22 where the public key is distributed to other nodes by broadcasting distribution method); and database for storing the public key (see col.5, lines 34-40 where a memory is an storage for storing data and where allocation of the public key and unique id's and other information in lines 41-57 is the database of each node since the database is nothing but a space within an storage area where information is kept) comprising having an inquiry from a first host to the second host to obtain information on the public key of the second host; triggering a response by sending the information on public key of the second host to the first host (see col.5,

lines 58-67; col.6, lines 1-11 where by using a handshake the request for inquiry and the response is being taken place and where each node transmit the public key requested by the other node in order to identify themselves to each other).

As per claim 2 Perlman (5,455,865 A) teach a method for managing a public key as claimed in claim 1, wherein the DNS server receives an inquiry of the public key of the second host from the first host , if no entry corresponding to the domain name inquiry is found in said database of said DNS server itself, the solution of said public key is recursively entrusted to another DNS server provided with said another means for managing a public key and database along the hierarchy of said domain name (see claim 1 above for the handshake and inquiry and response; as for the no entry see col.6, lines 1-2 where the node that is unable to provide a valid id packet is ignored and the valid packet is the packet that corresponds to fig.3a,4a,6a-b and 8a that includes public key and other information that identifies the node or DNS server and therefore if no match then is being ignored; col.5, lines 65-67 and col.6, line 1 also disclose that each received packet is verified by comparing the ID/public key pair with the stored PKL; col.6, lines 2-12 disclose that even if a node is ignored because of no match in the entry of the database the process continues to other nodes until all the nodes are identified).

As per claim 3 Perlman (5,455,865 A) teach a method for managing a public key as claimed in claim 1, wherein said host provides means for inquiring said DNS server of

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the public key of another host (see col.5, lines 58-67; col.6, lines 1-11 where by using a handshake the request for inquiry and the response is being taken place and where each node transmit the public key requested by the other node in order to identify themselves to each other); and means serving to inquire said DNS server of the corresponding public key to the domain name of the target host when security communication is started (see fig.4b,5a and 5b where means for inquiry with respect to corresponding information are disclosed based on the communication between the nodes).

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S.Patent No. US (5,175,765 A) teach robust data broadcasting over a distributed network.

U.S.Patent No. US (6,111,883 A) teach repeater and network system utilizing the same.

U.S.Patent No. US (5,109,384 A) teach guaranteed reliable broadcast network.


13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-

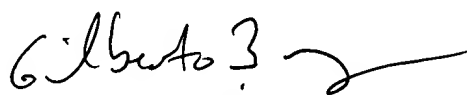
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4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

Official (703) 872-9306

Kambiz Zand


11/26/2003


GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100